

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 23-160 (NEB/JFD)

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	GOVERNMENT’S TRIAL
)	BRIEF
DANTRELL JOHNSON (2))	
a.k.a. Trell Moe,)	
GREGORY HAMILTON (3))	
a.k.a. Lil’ Lord,)	
KEON PRUITT (4))	
a.k.a. KenKen,)	
)	
Defendants.)	

The United States of America by and through its attorneys, Lisa D. Kirkpatrick, Acting United States Attorney for the District of Minnesota, and Assistant United States Attorneys Thomas Calhoun-Lopez, Albania Concepcion, and Rebecca E. Kline, and David L. Jaffe, Chief, Violent Crime and Racketeering Section of the Department of Justice, and Trial Attorney Brian W. Lynch, respectfully submits its trial brief in the above-captioned case.

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II. INDICTMENT

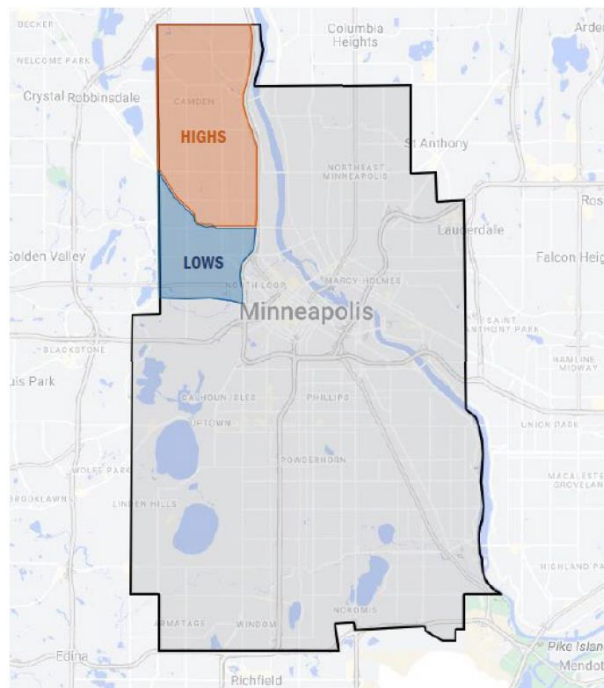
Defendants Dantrell Johnson (“D. Johnson”), Gregory Hamilton (“Hamilton”), and Keon Pruitt (“Pruitt”), are each charged by indictment with two felony counts: Racketeer Influenced and Corrupt Organizations (“RICO”) Conspiracy (Count 1) and Using and Carrying a Firearm in Relation to a Crime of Violence Resulting in Death (Count 2).

III. SUMMARY OF THE EVIDENCE AT TRIAL

The United States anticipates the evidence at trial will prove the following facts:

a. The Enterprise: The Highs Gang

The Highs Gang is a street gang that has existed in Minneapolis since the early 2000s. The Highs are primarily active in the area north of West Broadway Avenue in Minneapolis. By contrast, the High's main rival—the Lows—are active in and control territory south of West Broadway Avenue. Members of the Highs have committed crimes including murder, narcotics trafficking, weapons violations, burglaries, robberies, assault, and fraud.



The Government anticipates one or more witnesses with prior or current affiliations/memberships within the Highs (who are referenced throughout this trial brief interchangeably as “Cooperating Defendant”) will testify, in effect:

- Members of the Highs are loosely organized into a series of sub-units, or “cliques,” that operate somewhat independently of one another. The most prominent sects of the Highs are Young N’

Thuggin’ (“YNT),” Freeshotz/Bodygang, SayLess, Taliban, Emerson Murder Boys (“EMB”), Black Mob, and others. Some High members belong to more than one sect and members of different sects are expected to come to the aid of one another. Furthermore, High members belonging to different sects often commit crimes with each other.

- The Highs congregate at specific businesses within their territory: Winner Gas Station, Merwin Liquors, Walgreens, AutoZone, and Boost Mobile.
- The Highs do not have a formal rank structure. The Highs have members who are more respected than others and are considered leaders. These members control the drug trade in Highs territory and often take the lead in obtaining and distributing firearms.
- There is no formal initiation process to join the Highs. Instead, prospective members prove their loyalty to the gang by committing acts of violence for the benefit of the gang or offering another benefit to the gang, such as introducing a source for firearms or narcotics. Highs members can be kicked out of the gang and/or physically assaulted for failing to “put in the work.”

Members of the Highs demonstrate their affiliation with the gang in various ways, including, but not limited to: using common phrases or monikers on social media to publicly identify themselves with their gang, such as posting “Broadway”—a reference to the intersection at West Broadway Avenue and Lyndale Avenue North—on social media, paying tribute to deceased or incarcerated members publicly on social media, wearing clothing with gang-related phrases and tributes to deceased members, and utilizing common hand signs. They also post on social media to antagonize and disrespect the Lows, such as by making the Low’s L-shaped hand sign with their thumb and index

finger and pointing their index finger towards the ground. This is referred to as “dropping the L.”



Defendant Hamilton in a photograph posted on social media “dropping the L.”



Highs members Jovan Knight and Tyrese Giles making a gang sign that represents the “YNT” clique.

Members of the Highs also created rap videos to promote their gang and antagonize the Lows. Co-defendant Gregory Brown created a video on YouTube on January 17, 2021 called “Not from the Lows,” in which members of the Highs can be seen wearing gang clothing, making gang signs, rapping about different Highs cliques and territory, and disrespecting the Lows. In the video, the Highs members also show a location where Lows member Decari Starr was killed in 2010, as a sign of disrespect to the Lows.



Knowledge | "Not From The Lows" | Shot By; A.O Productions

Left: Defendant Gregory Brown wearing a hooded sweatshirt with "Low End" crossed out, which was meant to disrespect the Lows. Brown's sweatshirt also reads EMB, which is a reference to the Highs clique Emerson Murder Boys.

1. *Alleged Overt Acts: Murders and Attempted Murders*

The common purposes of the Highs include committing crimes of violence to promote and enhance the reputation of the enterprise and to keep rival gang members in fear; and to enrich gang leaders, members, and associates through fraud, narcotics trafficking, firearms, and the commission of robberies. Highs members gain status in the enterprise by committing criminal activities beneficial to the gang. For example, Highs members are expected to locate and kill rival gang members, particularly after an act of violence has occurred against a Highs member. By committing such violence, Highs members gain "respect" in the gang, which can include receiving protection, financial opportunities, and access to narcotics and firearms.

i. July 3, 2020 Shooting of Albert Lucas

On July 3, 2020, Pruitt shot Lows member Albert Lucas in the face outside of Wally's Foods, a known Low's hangout. Surveillance footage from Wally's Foods and Minneapolis Milestone cameras captured the shooting.

The video shows a male, identified as Lows member Carltrell Holden, meeting up with several individuals outside of Wally's Foods. Lucas can be seen coming in and out of the store, and then shaking hands with Holden outside of the store. Video footage from multiple locations showed a black Hyundai Elantra with no license plates driving towards Wally's Foods. At 3:31 p.m., Pruitt, who was sitting in the rear driver's seat, pointed a firearm out of the window and fired towards Lucas, striking him in the face.

On July 4, 2020 at approximately 1:40 a.m., the Hyundai with no license plates was involved in a high-speed car chase in Monroe County, Wisconsin. After following the vehicle, which traveled at speeds in excess of 120 miles per hour, law enforcement stopped the vehicle and identified three occupants. Pruitt was the driver of the vehicle, and the two other passengers were Highs members. Law enforcement determined that the Hyundai had been reported stolen earlier in the evening of July 2, 2020 or morning of July 3, 2020 from a residence in Minneapolis.

Law enforcement searched the vehicle, and found a backpack, which Pruitt claimed ownership of. The backpack contained, among other things, a

AAA card with the name of a woman whose home had been burglarized on July 2, 2020. Pruitt's prints also matched fingerprints found on an air conditioning unit located inside the burglarized home.

ii. April 12, 2021 Robbery and Murder of Ahmed Badal

From the evening of April 11, 2021 into the early morning hours of April 12, 2021, looters engulfed the south side of Minneapolis following the shooting of Duante Wright by Brooklyn Center Police Officer Kim Potter. Highs members Jovan Knight, Jaylen Salter, Jarrett Robinson, and two juveniles with the initials J.B. and M.W. met up that evening to participate in the looting. M.W. was driving a Chrysler 200 with J.B., and Knight was in another vehicle with Salter and J. Robinson. They followed a group of Somali men and boxed them in with their vehicles, intending to rob them. Salter got out of his vehicle and walked up to one of the men, identified in the Third Superseding Indictment as Victim F. Salter took Victim F's cell phone and went through his pockets before shooting Victim F in the leg.

During the chaos of the robbery and shooting, one of the Highs members shot J.B. Williams put J.B. in the Chrysler 200 to take him to the hospital but crashed into a Hyundai Sonata one block later. Surveillance footage from the area showed the Chrysler 200 run a stop sign at the intersection of 14th Street South and 28th Street East and strike the Hyundai Sonata in the intersection. As the vehicles stop, Salter's vehicle pulls up to the area and he walks out of

the vehicle towards the intersection. The driver of the Sonata, later identified as Ahmed Badal, got out of his vehicle and also began moving towards the intersection. As Badal leaves the camera view, Salter can be seen firing seven rounds towards Badal.

Minneapolis Metro Transit police officers arrived on the scene within seconds of the shooting. Body worn camera shows Salter approach one of the officers and inform them that J.B. was shot. J.B. and Badal both died as a result of their gunshot wounds.

iii. *August 8, 2021 Shooting of Arequise Morgan*

On August 7, 2021 Prince Martin, a prominent Highs member, was shot and killed at the Winner Gas Station. Martin was a well-respected member of the YNT clique and the Highs in general. On August 8, 2021, a memorial was erected at Winner Gas and attracted large crowds of Highs members to pay their respects. Members of the Highs distributed firearms and encouraged each other to retaliate against Lows members for the murder. Surveillance

footage from Winner Gas captured Highs members in attendance at the memorial, including Pruitt, D. Johnson, W. Johnson, and Hamilton.



Co-defendant Gregory Hamilton in blue hooded sweatshirt and black shorts; co-defendant William Johnson in black hooded sweatshirt, black pants, and black shoes; and co-defendant Dantrell Johnson, to the right, in grey hooded sweatshirt with cartoons on front, blue surgical mask, light blue jeans, and white shoes.



Co-defendant Keon Pruitt in the upper right-hand corner, wearing a black hooded beanie, white t-shirt, black pants, black fanny-pack, and black shoes.

At around 5:42 p.m. that same day, D. Johnson and Hamilton drove to Wally's Foods and shot Arequise Morgan, a Lows associate. As captured by surveillance footage from Winner Gas, the adjacent Salvation Army, Wally's Foods, and Minneapolis Milestone cameras, around 5:35 p.m., D. Johnson and Hamilton entered a dark colored van with a license plate hanging off sideways outside of the Salvation Army. D. Johnson entered the driver's seat and Hamilton sat in the passenger's seat. They could be seen driving out of the Salvation Army parking lot and driving southbound on Lyndale Avenue North. Several minute later, the same van pulled up to Morgan, who was standing outside of Wally's Foods. The passenger of the van, Hamilton, pointed a firearm towards Morgan, who then reacted to the gunfire. The van then drove back to the Salvation Army parking lot, where D. Johnson and Hamilton exited the van. They met up with W. Johnson, who was standing near the parking lot, and walked into Winner Gas.

Minneapolis police officers responded to Wally's Foods for reports of a shooting and learned that Morgan had been taken to the hospital. Morgan had been shot in the back and survived his gun shot wound. Officers located and collected eleven 9mmcaliber and eight 10mm caliber cartridge casings from the scene. The 9mm cartridge casings collected from the scene had matching

features with the 9mm caliber cartridge casings collected from the Darryl Wells murder committed later that day, discussed in greater detail below.



The passenger of the van with crooked license plate pointing a firearm towards Morgan (in red), who then reacts to the gunfire.

On August 13, 2021, MPD officers observed a blue Volkswagen van with the front license plate hanging sideways at 27th Avenue North and Aldrich Avenue North. MPD Officer Dirk Spee initiated a traffic stop and identified D. Johnson as the driver of the vehicle. D. Johnson stated to Officer Spee that he had owned the vehicle for several months. Law enforcement officers also

collected a sample of D. Johnson's DNA, which matched DNA swabs taken from the front driver's seat belt and the steering wheel of the Volkswagen van.

iv. *August 8, 2021 Murder of Darryl Wells*

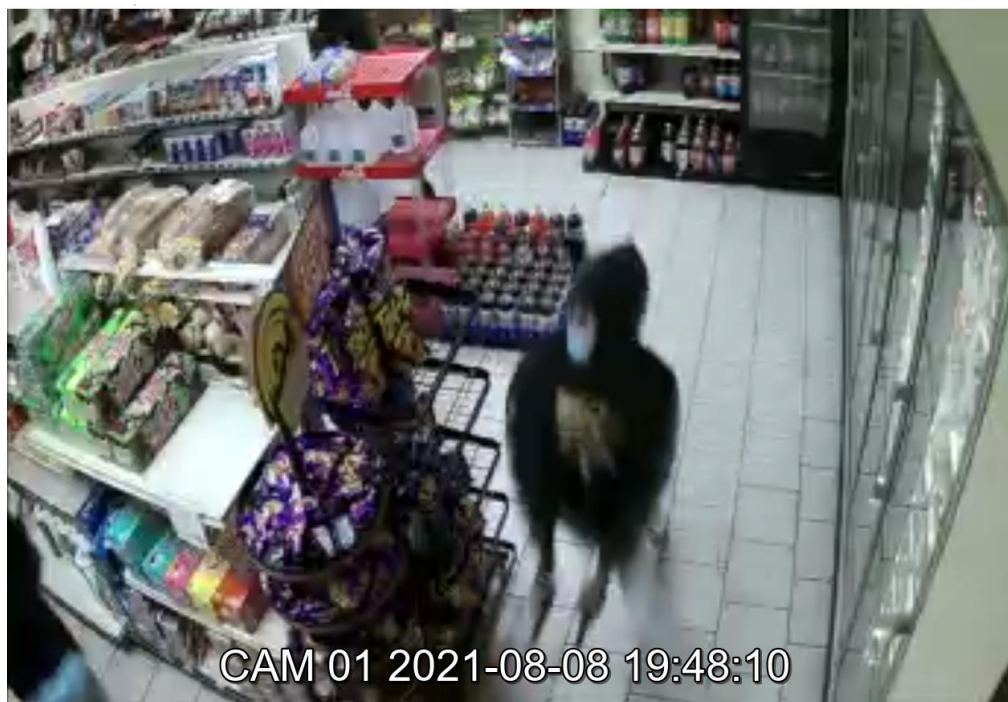
Approximately two hours after the shooting of Morgan, at around 7:53 p.m., D. Johnson, Hamilton, Pruitt, W. Johnson, Christopher Johnson Jr., and Edward Washington travelled to the Skyline Market, a known Lows hangout, where they shot and killed Darryl Wells. Pruitt, Johnson, Jr., and Washington were in a white stolen Porsche Macan. W. Johnson, D. Johnson, and Hamilton were in W. Johnson's gray Dodge Charger. This was another shooting intended to retaliate against the killing of Prince Martin; the defendants mistakenly assumed that Wells was a Lows member, when in fact he had no gang affiliations whatsoever.

Surveillance video from Skyline Market showed Wells arrive in his vehicle, park, and walk into the market at around 7:48 p.m. About one minute later, a gray Dodge Charger arrived and parked behind Wells' vehicle. D. Johnson and Hamilton can be seen exiting the Charger and entering the store. Interior surveillance video shows Hamilton and D. Johnson walking towards the back of the store down separate aisles. At that point, W. Johnson exited

the Charger and walked towards the front of the store, pointing towards Wells's vehicle several times.

D. Johnson approached Wells from the middle aisle of the store, holding two firearms. Hamilton approached the back of the store from the far aisle. Wells turned to run, and D. Johnson fired multiple times at him. Wells fell forward, and D. Johnson ran towards him but fell. Hamilton stood near the

front counter and pointed a handgun towards Wells. Meanwhile, W. Johnson ran to the Charger.



Dantrell Johnson holding two firearms, one in each hand, which he then points at Wells, who is running down the aisle on the bottom left corner.



Gregory Hamilton pointing a firearm at Wells, who has fallen to the ground on the lower right-hand corner.

Wells ran out the front door onto Glenwood Avenue North and towards the driver's side of a white Porsche Macan that was driving eastbound. Unfortunately for Wells, this vehicle was driven by another Highs member—Pruitt. Wells made physical contact with the Porsche, before running northbound across Glenwood Avenue North, while the Porsche continued to drive westbound on Glenwood Avenue North.



Wells making contact with the driver's side door of a white Porsche Macan driven by Keon Pruitt.

Now outside of the store, Hamilton and D. Johnson pointed their firearms at Wells and appeared to fire as he ran away. Hamilton and D. Johnson then got in the Charger and drove away. Meanwhile, the Porsche made a U-turn on Glenwood Avenue North and began driving northbound on Morgan Avenue North. At that point, the driver's side rear passenger, and a

juvenile Highs member with the initials C.J. got out of the vehicle and ran to a nearby alley, where Wells was lying. C.J. fired at Wells, and another juvenile Highs member with the initials E.W. also got out of the Porsche and fired towards Wells in the alley. They then got back into the Porsche and drove away.

Multiple eyewitnesses made 911 calls about the shooting and described hearing a number of shots and seeing a white Porsche drive away from the area. Law enforcement officers arrived at Glenwood Avenue North less than a minute after the shooting. EMS transported Wells to the hospital, where he was later pronounced dead.

MPD detectives obtained surveillance footage from earlier in the day from Winner Gas and Salvation Army, which showed W. Johnson, D. Johnson, and Hamilton enter the Charger at approximately 6:06 p.m.—about an hour and a half before the Wells murder.

Law enforcement recovered the Porsche Macan the evening of the murder. The vehicle had blood stains on the exterior of the driver's side, which matched DNA samples taken from Wells. MPD officers processed the Porsche for fingerprints and identified prints that matched Pruitt's on the steering wheel and rearview mirror of the vehicle.

Law enforcement officers learned that the vehicle had been stolen the day before, on August 7, 2021 from Minnetonka, Minnesota, during a

residential burglary. The burglary victims also had credit cards stolen during the burglary. Surveillance video from Winner Gas also captured Pruitt in the Porsche prior to the murder. Specifically, video shows that at approximately 6:04 p.m. on the day of the murder, Pruitt, E.W., and C.J. entered the Porsche in the parking lot. Pruitt entered the driver's seat, E. Washington got into the front passenger seat, and C.J. entered the rear passenger seat.

While processing the murder scene, MPD officers located and collected fired bullets, metal fragments, and approximately 29 discarded cartridge casings from two different caliber firearms from the area of Skyline Market, Glenwood Avenue North, and the alleyway where Wells's body was found. As with prior rounds, a firearms expert inspected the cartridge casings and determined that a 9mm cartridge casing from the Wells' murder scene had matching features with a 9mm cartridge casing at the Morgan shooting. He also determined that the two cartridge casings were fired by the same firearm.

v. September 9, 2021 Murder of Darien Berry

On September 9, 2021, Highs member Jaylen Salter was shot and killed at a barbershop in Minneapolis. Highs members suspected that Lows were responsible for the killing and were expected to retaliate against the Lows.

Approximately two hours after Salter's murder, Giles traveled to Pennwood Market, a known Lows hangout, where he shot and killed Lows member Darien Berry.

Surveillance footage from Pennwood Market captured Giles committing the murder. Specifically, the video showed Berry standing in front of the market and next to a white cargo van with two unknown males. The three were talking when they appeared to react to gunshots, and Berry began holding his chest. The two males ran inside of the market, while Berry ran behind a light-colored SUV. Giles can be seen chasing after Berry, pointing a firearm towards the area where Berry was hiding, and firing his weapon.

Giles then ran away from the market, traveling westbound. James Reliford came out from behind Pennwood and fired a weapon in Giles's direction. Giles can be seen abruptly falling to the ground afterwards, before going out of view of the surveillance camera. Reliford then drove Berry to the hospital, where Berry died from his gunshot wounds. Giles was also taken to the hospital and arrived a few minutes after Berry

vi. *November 7, 2021 Shooting of Victims H, I, and J*

On November 7, 2021, Highs members Knight, Isaac Hodge, Douglas Mobley, M. Williams, Demonta Mathis, and Charles Evans attempted to shoot a Lows member identified in the Third Superseding Indictment as Victim H outside of a Speedway gas station in Lows territory. They missed, and instead

struck individuals identified in the Third Superseding Indictment as Victim as Victims I and J.

Surveillance footage from the Speedway and adjacent businesses Hum's Liquor, Minneapolis Tattoos Shop, and the Wedge Community Co-Op captured the shooting. The videos show a group of people arriving in three different vehicles and parking in the lot north of Minneapolis Tattoo around 2:00 a.m. Some of the group, consisting of Knight, Hodge, Mobley, M. Williams, and Mathis, crossed to the east side of Lyndale Avenue South and walked to the north side of West 22nd Street.

Victim H can be seen leaving the Hum's Liquor Store and standing in front of the northwest corner of the intersection of West 22nd Street and Lyndale Avenue South. He briefly walked out of view of surveillance cameras and returned shortly with two females. He appeared to see the group of Highs members approaching, causing him to retreat westbound on West 22nd Street and walk between two vehicles. One of the vehicles was a Chevrolet Impala driven by Victim J.

Knight, Hodge, Mobley, M. Williams, and Mathis crossed Lyndale Avenue South, behind Hum's Liquor on the northwest side of the intersection. Some of the individuals, including M. Williams, appeared to be holding items resembling firearms in their right hands. At 2:14 a.m., Knight crossed the intersection and ran into the Speedway parking lot, shooting into the direction

of the Impala where James was last seen standing. Knight and Mathis then ran across Lyndale Avenue to Knight's vehicle.

Hodge drew a firearm and ran behind a car parked on the northside of West 22nd Street. He walked up the side of the vehicle, kneeled, and fired in the direction of the Impala, before fleeing across Lyndale Avenue South to his vehicle. Evans, Mobley, and M. Williams also appeared to fire in the direction of the Speedway. Surveillance video showed that Evans was the shooter who injured Miller, while Miller was walking past the Speedway on his way home. Hodge, Evans, Mobley, and Williams then fled in two separate vehicles.

Law enforcement officers found evidence that over fifty gunshots were fired that evening. Miller was shot in his back and left leg and Holmes was shot in his upper back. Both Miller and Holmes survived their gunshot wounds.

vii. *January 7, 2021 Desecration of Memorial for a Lows Member and Shooting at Lows Associates*

On January 7, 2022 Knight posted a video to Snapchat, showing himself possessing a firearm with a fifty-round drum. He stated, "When I seen an Opp I'm going to strike." That same day, at approximately 5:07 p.m., Highs member Dashaun Morris was also captured in a cell phone video dancing and holding

a firearm at 42nd Avenue North and Lyndale Avenue North, across from the barbershop where Salter was murdered.

Moments after that video was captured, Knight destroyed a memorial to Emanuel Jones, a known Lows member who was killed on October 31, 2021. The video was captured by another cell phone video. In a frame of the video, a Toyota Corolla can be seen driving into the area. Knight then ran back to the rear passenger side of his vehicle and stated, "Give me my 50." A third party handed Knight a firearm with an automatic switch. The video briefly goes dark, and three different bursts of automatic gunfire can be heard, before Morris is visible in the video. One minute later, Knight is seen walking with the firearm in his hand near Morris.

MPD officers responded to the scene for reports of shots fired within a minute. They located a Toyota Corolla with three occupants and found four bullet defects. None of the occupants were struck by gunfire.

2. Other Overt Acts: Possession and Sharing of Firearms

As demonstrated by the significant number of shootings and murders, Highs members frequently use and share firearms as part of their membership in the criminal enterprise. A cooperating defendant will testify about one of the benefits of membership in the Highs: access to and the trading and sharing of firearms. He will further testify that proceeds from narcotics transactions

are used to purchase firearms and narcotics, which are distributed among Highs members or used for the further distribution of narcotics.

i. *D. Johnson's Possession of a Firearm on June 2, 2020*

On June 2, 2020 MPD officers were on detail to curb violent protests in the wake of the George Floyd murder, which entailed enforcing a curfew from 10:00 p.m. to 4:00 a.m. At about 12:20 a.m., officers saw that the occupants of a red minivan appeared to see the MPD squad car and then turn around. The officers initiated a traffic stop, but the vehicle failed to stop at stop signs, increased in speed, and turned off its headlights and taillights. Officers turned off their lights and sirens, circled around, and saw the same car, which then attempted to ram into the squad car. Officers pursued the red minivan, which rammed into another MPD squad car that was assisting with the stop.

MPD officers eventually stopped the vehicle and detained the driver, who was later identified as D. Johnson. An MPD officer recovered a stolen firearm on the ground in the path where the vehicle had fled from officers. D. Johnson is a felon and is prohibited from possessing firearms.

ii. *Pruitt's Possession of a Firearm on October 23, 2020*

On October 23, 2020 Pruitt was arrested with a stolen firearm while with other Highs members. Officers responded to reports of shots fired in the area of 5th Avenue North and 1st Avenue North. When they arrived three blocks

from where the shots were heard, they observed a number of males on the sidewalk and in a silver Jeep Commander.

Law enforcement recognized the males as Highs members. Louis Cox was in the driver's seat, Michael Garrett was in the front passenger seat, Thomas Jones was standing on the sidewalk, Spidel Browder was in the rear passenger's seat, and Pruitt was in the rear driver's seat of the Commander. MPD officers then observed a Taurus revolver between Cox's legs. They ordered everyone out of the vehicle and searched the vehicle for additional weapons. They recovered loaded firearms in the driver's floorboard and. All the vehicle occupants had access to the firearms. Officers also recovered two discarded cartridge casings from the area where the shooting had occurred, and the casings had the same brand as one of the loaded firearms located from the vehicle.

Pruitt was arrested on an outstanding felony warrant. While searching him incident to arrest, MPD officers located on Pruitt's person a key for a room at the Hyatt Regency in downtown Minneapolis. Browder explained that the group had gathered for Pruitt's birthday and that several people were staying at the Hyatt. Law enforcement searched the hotel room pursuant to a warrant and located a plastic bag from Bills Gun range and a box of .38 caliber ammunition, some of which was missing. Law enforcement processed the firearms, the plastic bag, and ammunition box for fingerprints, and found that

impressions from the plastic bag were identified to known impressions from Pruitt.

While at the scene, both Pruitt and Garrett admitted to police that they were Highs gang members. They stated they wanted the police to know this so that they were not put with the “opps,” or rival gang members, in jail.

iii. *Pruitt’s Possession of a Firearm and Narcotics on February 2, 2021*

On February 2, 2021 MPD officers learned that Pruitt, who was wanted on an outstanding arrest warrant, was seen in the back seat of a silver Ford Focus in the parking lot of Merwin Liquors. MPD officers went to the area of Merwin Liquors and located the vehicle in front of a nearby restaurant called Yuan Yuan.

MPD officers conducted a vehicle stop on the Ford Focus and removed Pruitt and Highs members Christopher Finch and Mathis from the vehicle. Mathis had been in the driver’s seat of the vehicle and Finch and Pruitt had been in the back seat. Law enforcement officers searched the vehicle, and an officer recovered a .40 caliber Smith & Wesson semi-automatic handgun underneath the passenger seat. Pruitt had been sitting directly behind the passenger seat and was within arm’s reach of where the handgun was located prior to his arrest. Law enforcement further found a baggie containing .7 grams of cocaine on the back seat and a baggie of marijuana and four fentanyl

pills from Pruitt's person. They also recovered a digital scale and blunt roller from the front seat.

iv. *Pruitt's Possession of a Firearm and Marijuana on February 8, 2021*

Less than a week later, on February 8, 2021, Pruitt again possessed a firearm and marijuana in a vehicle near Merwin Liquors.

Minneapolis Milestone cameras captured a red Pontiac Grand Prix arrive at the front door of the liquor store, where the driver, Pruitt, exited the vehicle and got into the backseat of a nearby tan Impala. He later exited and got back into the driver's seat of the Pontiac.

MPD officers learned that there was a firearm in the vehicle and attempted to conduct a stop of the Pontiac. Pruitt attempted to flee in the vehicle and crashed into an undercover police vehicle and metal pole near an exit to the parking lot. The Pontiac was disabled, and officers surrounded the vehicle to take the occupants into custody.

There were five occupants in the vehicle, with Pruitt still in the driver's seat. Pruitt attempted to flee on foot from the vehicle and officers arrested him. The arresting officer saw a Smith & Wesson handgun with an extended magazine on the dashboard of the vehicle that had been within arm's reach of

Pruitt. While securing the other vehicle occupants, they recovered a large baggie of marijuana from a male sitting in the back seat of the vehicle.

3. Other Overt Acts: Narcotics Trafficking

Another purpose of the Highs enterprise is to enrich the leaders, members, and associates through, among other things, illegal trafficking and distribution of controlled substances. A cooperating defendant will testify that Highs members often sold fentanyl pills and other narcotics outside of Merwin Liquors, Winner Gas station, Boost Mobile, and other high-traffic areas in Highs territory. Highs members gain respect and stature in the gang by making more money from narcotics sales.

A cooperating defendant will further testify about how Highs members had sources of fentanyl and other narcotics based in Arizona. In the course of their investigation, law enforcement officers found significant evidence in the form of flight records, digital communications, and intercepted drug parcels, showing the pattern of narcotics distribution from the Highs' sources in Arizona to Minneapolis.

i. Flight Records

Law enforcement officers obtained records of flights for multiple Highs members engaged in narcotics trafficking, including for co-defendants Ronnell Lockhart, Marques Walker, Montez Brown ("M. Brown"), Gregory Brown ("G. Brown"), Robert Lesure, Avante Nix, Deandre Poe and Calvin Wright. As

detailed below, flight records showed how these gang members would regularly travel to and from Minneapolis and Phoenix to purchase fentanyl pills and other narcotics, to bring back for sale on behalf of the enterprise in Minneapolis:

- From July 27, 2020 through June 11, 2023, Lockhart took at least seven round trip flights from Minneapolis to Phoenix.
- From August 15, 2020 through October 25, 2021, Walker took at least five round trip flights from Minneapolis to Phoenix.
- From May 16, 2021 through March 18, 2022, M. Brown took at least ten round trip flights from Minneapolis to Phoenix.
- From July 1, 2021 through June 21, 2022, G. Brown took at least eleven round trip flights from Minneapolis to Phoenix.
- On November 28, 2021 to December 1, 2021, G. Brown, Lesure, Nix, and Wright flew round trip between Minneapolis and Phoenix.
- From November 28, 2021 to November 16, 2022, Nix took at least ten round trip flights from Minneapolis to Phoenix.
- From November 6, 2022 through May 24, 2023, Poe took at least seven round trip flights from Minneapolis to Phoenix.

ii. *April 26, 2022 Intercepted Parcel of Fentanyl for Calvin Wright*

On April 26, 2022 law enforcement officers traced the delivery of a package of suspected narcotics to C. Wright's residence. They conducted physical surveillance on his home, and observed a U.S. Postal Service employee walk towards C. Wright's townhome and confirm that the delivery was made.

Approximately one hour later, law enforcement observed a vehicle leaving C. Wright's garage.

Law enforcement officers conducted a traffic stop on the vehicle and identified C. Wright was the driver. They searched the vehicle and located 2.1 kilograms of fentanyl pills in several heat-sealed bags in the trunk. Thereafter, they obtained and executed a search warrant for C. Wright's residence and recovered a total of approximately \$25,000 in U.S. currency from C. Wright's master bedroom and bathroom. They also found approximately \$1,100 on C. Wright's person and another \$1,500 from the driver's side door of his vehicle. Giles was present at C. Wright's residence during the execution of the search warrant and possessed approximately \$6,000.

iii. *Digital Evidence*

Through this investigation, law enforcement has recovered a number of digital communications between Highs members discussing travel and other logistics to conduct their narcotics trafficking for the enterprise. For example, on September 13, 2022 Nix and G. Brown discussed Nix traveling to Arizona to make a supply run.

Nix texted G. Brown that he booked a trip from Minneapolis to Houston, where G. Brown was living at the time. Then, the same day, Nix flew from Minneapolis to Atlanta to Phoenix and returned to Minneapolis on September 15, 2022. Nix texted G. Brown, "I tweaked did one with a stop before AZ,"

referring to his stop in Atlanta. G. Brown replied, “try to reschedule a nonstop.”

A cooperating defendant will testify that G. Brown is an EMB member of the Highs who is one of the largest narcotics distributors for the Highs. He will explain that G. Brown sells fentanyl pills to other Highs members and distributes pills in the quantities of thousands.

Law enforcement officers also recovered photographs of narcotics taken by Highs members on their cell phones. For example, on February 8, 2023 Nix took the photograph below of thousands of fentanyl pills:



iv. *September 19, 2022 Arrest of Lockhart at Minneapolis-Saint Paul International Airport with Fentanyl Pills*

On September 19, 2022, special agents of the Drug Enforcement Administration received information regarding a suspicious travel itinerary for a passenger named Latoya Palmer, who had purchased a same day ticket from Phoenix to Minneapolis. Airport police intercepted Palmer and Lockhart exiting the flight at the Minneapolis-Saint Paul International Airport. Upon noticing law enforcement and drug-detecting dogs, Palmer gave a gray bag to Lockhart, who placed it under his arm and under a blanket. Lockhart then began to walk away, leaving Palmer and the children behind.

Airport police stopped Lockhart and asked him about the bag. Lockhart denied ownership of the bag and said one of the children he was with found it on the airplane. Law enforcement searched the gray bag and recovered four vacuum sealed bags containing fentanyl pills, constituting 1,136 grams of fentanyl.

v. *M. Brown's Possession of Firearms, U.S. Currency, and Fentanyl Pills for Distribution on April 4, 2023*

On April 4, 2023, MPD's gun unit conducted surveillance on M. Brown's residence to attempt to execute an outstanding arrest warrant. They observed M. Brown leave his residence and get into a tan Tahoe and drive away. They

also observed a black Mercedes parked directly in front of M. Brown's residence.

MPD officers conducted a traffic stop of the Tahoe at a nearby Holiday Gas station and attempted to initiate contact with M. Brown, who initially refused to get out of his vehicle. M. Brown eventually exited the vehicle, and officers recovered a large quantity of fentanyl pills hidden under the cupholder in the center console of the vehicle. The pills were packaged in ten baggies, each of which contained 100 pills. Officers also recovered \$2,738 in cash and three cell phones from M. Brown's person.

Officers also obtained a search warrant for M. Brown's residence and searched the Mercedes. Inside the living room, MPD found a small duffel bag that contained M. Brown's identification cards and nearly \$6,000 in U.S. currency. In the Mercedes, officers recovered a Glock 17 9mm semi-automatic handgun that had a full automatic switch attached to it and an extended magazine; a paper grocery bag containing thousands of fentanyl pills, packaged in the same way as the ones found in the Tahoe; a Glock .380 caliber semi-automatic handgun; and documents containing M. Brown's information, including his mail and an old search warrant.

IV. EVIDENTIARY ISSUES

The United States has separately filed 11 motions in limine regarding evidentiary issues, and three motions under seal regarding impeachment. The 11 motions are:

- (1) Motion to admit self-authenticating records;
- (2) Motion to admit prison calls;
- (3) Motion to admit crime scene and autopsy photographs;
- (4) Motion to admit co-conspirator statements;
- (5) Motion to impeach defendants with prior convictions;
- (6) Motion to preclude references to potential punishments and state punishments;
- (7) Motion to preclude evidence related to discovery issues;
- (8) Motion to admit flight summary charts;
- (9) Motion to preclude defendants' hearsay statements;
- (10) Motion to admit witness plea agreements and cooperation agreements; and
- (11) Motion to preclude references to national or local police controversy.

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